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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **OAKLAND DIVISION**

12 BABAK HATAMIAN and LUSSA DENNJ
13 SALVATORE, individually and on behalf of
14 all others similarly situated,

15 Plaintiffs,

16 v.

17 ADVANCED MICRO DEVICES, INC.,
18 RORY P. READ, THOMAS J. SEIFERT,
19 RICHARD A. BERGMAN, AND LISA T.
20 SU,

20 Defendants.

Case No. 4:14-cv-00226-YGR

CLASS ACTION

**ORDER DIRECTING FURTHER
SUBMISSION IN SUPPORT OF
PENDING MOTION FOR FINAL
APPROVAL AND FOR ATTORNEYS'
FEES AND EXPENSES**

Dkt. No. 332

21 On October 24, 2017, the Court held a hearing on the pending motion for approval of class
22 action settlement and motion for attorneys' fees and expenses. By order dated October 25, 2017, the
23 Court has granted the motion for preliminary approval but requires additional information to be
24 provided with respect to the anticipated motion for attorneys' fees and expenses. As part of the
25 briefing, plaintiffs' counsel provided the Court with its resumes and that of the Administrator lauding
26 their respective accomplishments. (See Dkt. Nos. 333-2, 333-3, and 333-4.) Counsel shall provide the
27 information listed below. The information should be provided in a summary chart format,
28

preferably similar to that shown in Appendix A hereto from William B. Rubenstein, *The Fairness Hearing: Adversarial and Regulatory Approaches*, 53 UCLA L. REV. 1435, 1460 (2006).¹

1. Provide the information below for some of the identified actions submitted to the Court, specifically, (1) the five most recent for Labaton Sucharow, LLP, (Dkt. No. 333-2 at 5-9), (2) the five shareholder derivative cases for Motley Rice LLC, (Dkt. No. 333-3 at 7), and (3) the five most recent for Epiq Systems, Inc., (Dkt. No. 333-3 at 3):

- Total settlement amount;
- Total amount of claims paid, expressed in dollars and as a percentage of the total settlement amount;
- The number of class members who received notice ;
- The number of actual claims, expressed as a total number and as a percentage of the number who received notice;
- The number of opt-outs, expressed as a total number and as a percentage of the number who received notice;
- The attorney fees awarded, expressed as a total dollar figure, a percentage of the total settlement amount, and a percentage of the funds distributed to class members;
- The attorney costs and expenses awarded, expressed as a total dollar figure, a percentage of the total settlement amount, and a percentage of the funds distributed to class members;
- The total class administration costs, expressed as a total dollar figure and a percentage of the total settlement amount; and
- The residual funds, if any, remaining, expressed as a total dollar figure and a percentage of the total settlement amount.

2. In addition, counsel shall also provide the estimated information for each of the above categories, based on the information currently available to counsel for the instant matter.

IT IS SO ORDERED.

Dated: October 25, 2017


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

¹ Counsel are referred to further discussion on these issues in Nicholas M. Pace and William Rubenstein, “Shedding Light on Outcomes in Class Actions,” in CONFIDENTIALITY, TRANSPARENCY, AND THE U.S. CIVIL JUSTICE SYSTEM, Ch. 2 (Joseph W. Doherty, Robert T. Reville, and Laura Zakaras, eds., Oxford University Press, 2008).

See also In Re: Lithium Ion Batteries Antitrust Litigation, Case No. 13-md-2420-YGR, Dkt. Nos. 1981 and 1988.

Appendix A

Preapproval Notice	
In re Megasoft Antitrust Case	
<i>All figures are best estimates as of July 1, 2006</i>	
% Total Settlement	
Settlement \$50 million	100%
Plaintiff fund \$38.5 million	77%
Expected claims \$4.7 million	9%
Class members 500,000	
Projected claims 60,000 (12%)	
Settlement per class member \$79*	
Expected residual \$33.8 million	68%
Cy pres – Public schools \$22.5 million	
Reversion – Megasoft \$11.3 million	
Attorney fees requested \$10 million	20%
Lodestar \$4.0 million	
Hours 10,000	
Melded billing rate \$400/hr	
Multiplier 2.5	
Attorney costs \$0.5 million	1%
Administrative costs \$1 million	2%
The median award for class members filing a claim is estimated to be \$79 . Instructions for filing your claim appear elsewhere in this settlement notice.	
* Settlement per class member is based on median damage. Actual individual settlements may be higher or lower depending on factual circumstances.	
This settlement received an 'A' grade from the Class Action Settlement Rating Association.	

Postclaim Filing Audit	
In re Megasoft Antitrust Case	
<i>All figures are actual amounts as of June 30, 2007</i>	
% Total Settlement	
Settlement \$50 million	100%
Claims paid \$5.9 million	12%
Class members sent notice 500,000	
Actual claims 74,700 (15%)	
Opt-outs 2,000 (0.4%)	
Median recovery per claimant \$79	
Residual \$34.3 million	69%
Cy pres distribution \$22.9 million	
Reversion \$11.4 million	
Attorney fees awarded \$8.3 million	17%
Portion of distributed fund 22%	
Attorney costs \$0.5 million	1%
Administrative costs \$1 million	2%

FIGURE 2.1 Model Simplified Notices (from Rubenstein 2006)